

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ORRIN T. SKRETVEDT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 98-61 (MPT)
	)	
E. I. DU PONT DE NEMOURS	)	
AND COMPANY, et al.,	)	
	)	
Defendants.	)	

**AFFIDAVIT OF KENNETH W. PORTER**

STATE OF DELAWARE	)	
	)	ss
COUNTY OF NEW CASTLE	)	

Kenneth W. Porter, being duly sworn according to law, upon his oath deposes and says:

1. I am employed by E. I. du Pont de Nemours and Company. ("DuPont") as Director, Corporate Insurance & Global Benefits Financial Planning; and have knowledge of the financial aspects of all DuPont benefit plans, including the DuPont Pension and Retirement Plan ("Pension Plan") and the Total and Permanent Disability Income Plan ("T&P Plan").


2. I make this Affidavit in support of Defendant DuPont's brief filed on behalf of DuPont and the Pension and T&P plans in opposition to Plaintiff's opening brief on remand from the Third Circuit to consider Plaintiff's entitlement to interest on delayed payment of employee benefits.

3. With regard to delays in the payment of benefits under the Pension Plan that are not the fault of the plan participant, it is Pension Plan practice to credit interest on each late payment using a simple interest formula and an interest rate equal to 120% of the applicable federal midterm rate for January of the year in which the delay occurs and payments are made. If the period for which interest needs to be credited spans multiple plan years, the interest rate that is used is: the interest rate in effect as of the partial year and then the applicable interest rate for each year thereafter.

4. I also state that during the years 1995-2005 (year-to-date), DuPont was a net borrower and that it paid interest at the rates set forth in the attached Exhibit I.

  
Kenneth W. Porter

SWORN TO AND SUBSCRIBED BEFORE me this 3rd day of November, 2005.

  
Notary Public  
Commission Expires: Aug. 16, 2006

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NANCY ANN MILLER  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires Aug. 16, 2006